



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent application of:)
)
Brian E. Lemoff) Confirmation No.: 1981
)
Serial No.: 10/635,719) Group Art Unit: 2839
)
Filed: August 5, 2003) Examiner: Chandrika Prasad
)
For: *Parallel Fiber-Fan-Out Optical*)
Interconnect for Fiber Optic System)

DECLARATION OF BRIAN E. LEMOFF UNDER 37 CFR §1.131

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 222313-1450

Dear Sir:

I, Brian E. Lemoff, one of the inventors named in the above-captioned U.S. patent application, hereby declare, based on personal knowledge unless otherwise indicated, as follows:

1. I am over the age of eighteen years and am currently employed by Agilent Technologies, Inc. ("AGILENT");
2. The invention disclosed and claimed in the above-captioned U.S. patent application was conceived by me in the United States during the term of my employment with AGILENT;
3. Upon information and belief, the above-captioned U.S. patent application has been assigned to AGILENT;
4. Attached hereto as Exhibit A are true and correct copies of pages 1 and 2 of AGILENT Invention Disclosure No. 10030057-1, which I executed on November 14, 2002, and submitted to the internal legal department of AGILENT in Palo Alto, California;
5. Redacted pages 3-12 of the aforementioned AGILENT Invention Disclosure, Exhibit A, describe, in layman's terms, and illustrate the invention that is disclosed and claimed in the above-captioned U.S. patent application;

6. The invention described and illustrated in the aforementioned AGILENT Invention Disclosure, and which is disclosed and claimed in the above-captioned U.S. patent application, and in particular, pending Claims 1, 3, 8, 9, 11-19, 21 and 22 of said application, was conceived prior to November 14, 2002;
7. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful statements may jeopardize the pendency of the application or the validity of any patent issued thereon.

January 12, 2005 By: Brian E. Lemoff
Date Brian E. Lemoff



Agilent Technologies

INVENTION DISCLOSURE

PAGE ONE OF 12

PDNO 10030057¹ DATE RCVD 11/15/02

ATTORNEY ~~END~~ JKP

CORL/OIND

Instructions: The information contained in this document is **COMPANY CONFIDENTIAL** and may not be disclosed to others without prior authorization. Submit this disclosure to the Agilent Technologies Legal Department as soon as possible. No patent protection is possible until a patent application is authorized, prepared, and submitted to the Government.

Descriptive Title of Invention:

Parallel Optical Transmitter and Receiver comprising fiber fan-out assembly and multiple optical sub-assemblies

Name of Project:

N/A

Product Name or Number:

Was a description of the invention published, or are you planning to publish? If so, the date(s) and publication(s): NO

Was a product including the invention announced, offered for sale, sold, or is such activity proposed? If so, the date(s) and location(s): NO

Was the invention disclosed to anyone outside of AGILENT TECHNOLOGIES, or will such disclosure occur? If so, the date(s) and name(s): NO

If any of the above situations will occur within 3 months, call your IP attorney or the Legal Department now at 1-553-3061 or 408-553-3061.

Was the invention described in a lab book or other record? If so, please identify (lab book #, etc.)

NO

Was the invention built or tested? If so, the date:

NO

Was this invention made under a government contract? If so, the agency and contract number:

NO

Description of Invention: Please preserve all records of the invention and attach additional pages for the following. Each additional page should be signed and dated by the inventor(s) and witness(es).

- A. Prior solutions and their disadvantages (if available, attach copies of product literature, technical articles, patents, etc.).
- B. Problems solved by the invention.
- C. Advantages of the invention over what has been done before.
- D. Description of the construction and operation of the invention (include appropriate schematic, block, & timing diagrams; drawings; samples; graphs; flowcharts; computer listings; test results; etc.)

Signature of Inventor(s): I (we) hereby submit this disclosure on this date: 11/14/02

461320 Brian E Lemoff Brian E Lemoff 485-8957 26M-9 42LB-5353 CORL
Employee No. Name Signature Telnet Mailstop Entity & Lab Name

Employee No. Name Signature Telnet Mailstop Entity & Lab Name

Employee No. Name Signature Telnet Mailstop Entity & Lab Name

Employee No. Name Signature Telnet Mailstop Entity & Lab Name

(If more than four inventors, include additional information on another copy of this form and attach to this document)

INVENTION DISCLOSURE		COMPANY CONFIDENTIAL	PAGE <u>2</u> OF <u>12</u>
Signature of Witness(es): (Please try to obtain the signature of the person(s) to whom invention was first disclosed.)			
The invention was first explained to, and understood by, me (us) on this date: <u>11/14/02</u>			
Full Name	Signature	Date of Signature	
<u>DAVID W. DOLFI</u>	<u>David W. Dolfi</u>	<u>11-14-02</u>	
Full Name	Signature	Date of Signature	

Inventor & Home Address Information: (If more than four inventors, include addl. information on a copy of this form & attach to this document)			
Inventor's Full Name			
<u>Brian E Lemoff</u>			
Street			
<u>4844 Tammy Ct.</u>			
City	State	Zip	
<u>Union City</u>	<u>CA</u>	<u>94587</u>	
Do you have a Residential P.O. Address? P.O. BOX		City	State
<u>No</u>			
Greeted as (nickname, middle name, etc.)		Citizenship	
<u>Brian</u>		<u>USA</u>	

Inventor's Full Name			
Street			
City	State	Zip	
Do you have a Residential P.O. Address? P.O. BOX		City	State
Greeted as (nickname, middle name, etc.)		Citizenship	

Inventor's Full Name			
Street			
City	State	Zip	
Do you have a Residential P.O. Address? P.O. BOX		City	State
Greeted as (nickname, middle name, etc.)		Citizenship	

Inventor's Full Name			
Street			
City	State	Zip	
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Greeted as (nickname, middle name, etc.)		Citizenship	



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Brian E. Lemoff) Confirmation No.: 1981
Serial No.: 10/635,719) Group Art Unit: 2839
Filed: August 5, 2003) Examiner: Chandrika Prasad
For: *Parallel Fiber-Fan-Out Optical*)
Interconnect for Fiber Optic System)

DECLARATION OF MICHAEL H. JESTER UNDER RULE 131

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

I, Michael H. Jester, hereby declare as follows, based on personal knowledge, unless otherwise indicated:

1. I am over the age of eighteen years and I am competent to make this declaration;
2. I am a member of the State Bar of California and the Bar of District of Columbia, and I am registered to practice as an attorney before the U.S. Patent and Trademark Office;
3. I am the patent attorney that prepared and filed the above-captioned U.S. patent application;
4. Attached hereto as Exhibit B is a true and correct copy (except for redactions) of my Invoice No. 5503, dated September 1, 2003, which was sent to Agilent Technologies, Inc. (hereinafter "AGILENT") for the legal fees incurred by AGILENT in connection with the preparation and filing of the subject patent application. The dollar figures associated with each time entry, as well as the total amount, have be redacted.;

5. Exhibit B was prepared in the normal course of my patent law business and reflects contemporaneous, dated entries describing the work that I personally performed in reviewing the AGILENT Invention Disclosure PDNO 10030057-1, consulting with the inventor, and in preparing and filing the above-captioned U.S. patent application. Said patent application discloses and claims the invention disclosed in AGILENT Invention Disclosure No. 10030057-1, a portion of which is attached as Exhibit A to the DECLARATION OF BRIAN E. LEMOFF UNDER 37 CFR 1.131;
6. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful statements may jeopardize the pendency of the above-captioned application or the validity of any patent issued thereon.

January 20, 2005 / By:  ✓
Date Michael H. Jester

Michael H. Jester, A Professional Law Corporation**Patents & Trademarks**

505 D Grand Caribe Causeway

Coronado, CA 92118-3303

Phone# (619)628-4598, Fax# (619)628-4796

Fed ID#33-1010975

INVOICE

DATE

INVOICE #

9/1/2003

5503

BILL TO

Legal Finance Dept.,MS 51 UPD

AGILENT TECHNOLOGIES

P.O. Box 58043

Santa Clara, CA 95052-8043

COPY**MATTER**

013-PARALL.OP TRANS.W/FAN OUT-PD100300571

DATE	DESCRIPTION	AMOUNT
3/3/2003	Telephone conference with J. Moss, access Agilent eRoom, and review of new invention disclosure.	
3/4/2003	Further study of invention disclosure. Conducted cursory patent search. E-mail correspondence with J. Moss.	
5/19/2003	Review of invention disclosure. E-mail to Agilent inventor B. Lemoff re. setting up inventor interviews.	
5/20/2003	Telephone conference with B. Lemoff to conduct inventor interview.	
5/27/2003	Work on patent application.	
5/28/2003	Telephone conference with B. Lemoff re. OSA aspect of invention. Work on patent application.	
6/12/2003	Work on patent application.	
6/14/2003	Work on patent application.	
6/15/2003	Work on patent application.	
6/16/2003	Completed draft of patent application and mailed same to Agilent inventor, B. Lemoff, with letter explaining scope of same.	
7/7/2003	E-mails to J. Moss and inventor re. status. Updated Status Inquiry File.	

Michael H. Jester, A Professional Law Corporation

Patents & Trademarks

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MATTER

013-PARALL. OP TRANS. W/FAN OUT-PD100300571

DATE	DESCRIPTION	AMOUNT
7/8/2003	Work on revisions to drawing figures. E-mail correspondence with B. Lemoff re. same.	
7/15/2003	Revisions to drawings.	
7/16/2003	Revised patent application.	
7/17/2003	Reviewed final changes before mailing patent application to J. Polstorff.	
7/31/2003	Telephone conference with J. Polstorff re. his desired revisions to patent application. Began making same.	
8/1/2003	Revised patent application and forwarded same to inventors with cover letter explaining changes.	
8/4/2003	Reviewed formal drawings. Correspondence with inventor.	
8/5/2003	Finalized and filed patent application in USPTO. Prepared claims 1 - 10 and abstract with reference numerals for foreign filing. Letter to J. Polstorff re. same.	
8/5/2003	U.S. Post Office Charge for Express Mail Delivery on 8-5-03. (cash disbursement)	

Michael H. Jester, Professional Law Corporation

Patents & Trademarks

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013-PARALL.OP TRANS.W/FAN OUT-PD100300571

DATE	DESCRIPTION	AMOUNT
8/28/2003	Draftsperson's Charge for six (6) Formal Patent Drawings. (cash disbursement)	
	Total Reimbursable Expenses	
8/1/2003	Long distance FAX charge - U.S.	